



**SPECIAL CONCURRENT CITY COUNCIL, HRA AND PLANNING COMMISSION WORKSESSION  
RICHFIELD MUNICIPAL CENTER, BARTHOLOMEW ROOM  
MAY 24, 2016  
6:00 PM**

Call to order

1. Discussion regarding Cedar Corridor Master Plan update. (Council Memo No. 34/HRA Memo No. 14)

Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



**REGULAR CITY COUNCIL MEETING  
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS  
MAY 24, 2016  
7:00 PM**

**INTRODUCTORY PROCEEDINGS**

Call to order

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

Pledge of Allegiance

Approval of the minutes of the (1) Special City Council Worksession of May 10, 2016; and (2) Regular City Council Meeting of May 10, 2016.

**PRESENTATIONS**

1. Receipt of the City of Richfield Comprehensive Annual Financial Report (CAFR) for the fiscal year ended December 31, 2015.

Staff Report No. 79

2. Presentation regarding the Hennepin County Veterans' Service Office.
3. Presentation regarding the Memorial Day Ceremony at Veterans Memorial Park.
4. Update from Colleen Carey, President of The Cornerstone Group, regarding the Lyndale Garden Center .

**COUNCIL DISCUSSION**

5.
  - Schedule commission applicant interviews in July
  - Hats off to Hometown Hits

**AGENDA APPROVAL**

6. Approval of the agenda.
7. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
  - A. Consideration of the approval of a resolution approving a four-month interim use permit to allow temporary vehicle inventory storage on vacant former Lyndale Garden Center property.

Staff Report No. 80

- B. Consideration of the approval of a resolution reprogramming 2015 Community Development Block Grant funds from the Penn Avenue Streetscape Program to the Deferred Loan Program and authorizing execution of any required agreements with Hennepin County.

Staff Report No. 81

8. Consideration of items, if any, removed from Consent Calendar

**CITY MANAGER'S REPORT**

9. City Manager's Report

**CLAIMS AND PAYROLLS**

10. Claims and payrolls

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

11. Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**

**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

May 19, 2016

Council Memorandum No. 34

The Honorable Mayor  
and  
Members of the City Council

HRA Memorandum No. 14  
Housing and Redevelopment  
Authority Commissioners  
City of Richfield

Subject: Cedar Corridor Master Plan Update  
(Worksession Agenda Item No. 1)

Council Members and Commissioners:

At the May 24, 2016 joint work session of the City Council, Housing and Redevelopment Authority and Planning Commission, representatives from JLG Architects will present preliminary Comprehensive Plan and Zoning District designation options for the Cedar Corridor area. Feedback from the three policy bodies will be incorporated into draft documents to be presented at a community open house scheduled for the evening of June 1, 2016.

Respectfully submitted



Steven L. Devich  
City Manager

SLD:mn

Email: Assistant City Manager  
Planning Commission  
Department Directors



**CITY COUNCIL MINUTES**  
**Richfield, Minnesota**  
**Special City Council Worksession**  
**May 10, 2016**

**CALL TO ORDER**

The meeting was called to order by Mayor Goettel at 6:00 p.m. in the Bartholomew Room.

*Council Members Present:* Debbie Goettel, Mayor; Michael Howard; Edwina Garcia; Pat Elliott; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; Kristin Asher, Public Works Director; Jay Henthorne, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Jeff Pearson, City Engineer; and Cheryl Krumholz, Executive Coordinator.

<b>Item #1</b>	<b>DISCUSSION REGARDING THE RICHFIELD BAND SHELL (COUNCIL MEMO NO. 27)</b>
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Recreation Services Director Topitzhofer provided an update on the Richfield band shell in Veterans Memorial Park, including results of soil testing at the proposed new location for the facility nearer to the Ice Arena and preliminary cost estimates. He stated he was not confident the project could be done with the current funding.

David Butler, representing Friends of the Band Shell, explained a new fund drive approach is ready to kick-off that will engage the whole community with the goal of \$30,000 by July 12, 2016. He stated the construction manager indicated that amount would be enough to see the project through.

<b>Item #2</b>	<b>DISCUSSION REGARDING THE 77<sup>TH</sup> STREET UNDERPASS (COUNCIL MEMO NO. 26)</b>
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City Engineer Pearson presented an additional alignment alternative for the future Richfield Parkway/Cedar Avenue connection to 77<sup>th</sup> Street, including impacts to Washington Park. He stated this alignment allows for the future alignment with 18<sup>th</sup> Avenue while eliminating the need for a bridge on the Cedar Avenue frontage road and reducing right-of-way impacts.

Mr. Pearson stated an open house would be conducted with the area residents as it relates to the future alignment with 18<sup>th</sup> Avenue.

**ADJOURNMENT**

The meeting was adjourned by unanimous consent at 6:27 p.m.

Date Approved: May 24, 2016

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Debbie Goettel  
Mayor

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Cheryl Krumholz  
Executive Coordinator

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Regular Meeting

**May 10, 2016**

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

*Council Members Present:*

Debbie Goettel, Mayor; Michael Howard; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

*Staff Present:*

Steven L. Devich, City Manager; Kristin Asher, Public Works Director; Jay Henthorne, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Mike Koob, Deputy Police Chief; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

#### OPEN FORUM

Susan Rosenberg, 6333 Sheridan Avenue, announced the May 14 Richfield Garden Club plant sale at the Bartholomew House.

Constance Pepin, 4031 Zenith Avenue, Minneapolis, addressed the City Council regarding impacts the proposed band shell in Veterans Memorial Park will have on birds and wildlife.

Kit Healy, 3224 McKinley St. NE, Minneapolis, Audubon Chapter of Minneapolis board member, discussed the impacts of the proposed band shell on birds and other wildlife.

Steve LaVictorie, 4308-15<sup>th</sup> Avenue, Minneapolis, questioned the funding for the proposed band shell.

#### PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

#### APPROVAL OF MINUTES

M/Fitzhenry, S/Howard to approve the (1) Special City Council Worksession of April 26, 2016 and (2) Regular City Council Meeting of April 26, 2016.

Motion carried 5-0.

Item #1	PRESENTATION REGARDING NATIONAL PUBLIC WORKS WEEK
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Public Works Director Asher made the presentation.

<b>Item #2</b>	<b>COUNCIL DISCUSSION</b> <ul style="list-style-type: none"><li>• Hats Off to Hometown Hits</li></ul>
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Jeff Schwarz, Met Council, provided an update on the Metropolitan Council storm sewer project on 66<sup>th</sup> Street.

Council Member Fitzhenry announced Police Week, May 11-17, and Police Memorial Day, May 15.

Council Member Garcia announced the upcoming city-wide garage sale and the opening of the Farmer's Market. She also announced the Mayor's State of the City Address on May 19.

<b>Item #3</b>	<b>COUNCIL APPROVAL OF AGENDA</b>
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M/Fitzhenry, S/Howard to approve the agenda.

Motion carried 5-0.

<b>Item #4</b>	<b>CONSENT CALENDAR</b>
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- A. Consideration of the approval of a resolution authorizing the City to affirm the monetary limits on statutory municipality tort liability. S.R. No. 72

RESOLUTION NO. 11203

RESOLUTION AFFIRMING MUNICIPAL TORT LIABILITY LIMITS ESTABLISHED BY  
MINNESOTA STATUTES 466.04

This resolution appears as Resolution No. 11203.

- B. Consideration of the approval of a request for a Temporary On Sale Intoxicating Liquor license for the Minneapolis-Richfield American Legion Post #435, located at 6501 Portland Avenue South for their Bike Night Out event scheduled to take place on June 15, 2016. S.R. No. 73
- C. Consideration of the approval of a request for a new Therapeutic Massage Enterprise license for Lily & The Lotus Massage and Bodywork, LLC, located at 1300 66th Street East #102. S.R. No. 74
- D. Consideration of the approval of the Bureau of Criminal Apprehension's (BCA's) Master Joint Powers Agreement (JPA) with Richfield Department of Public Safety/Police for access to the Criminal Justice Data Communications Network (CJDN) and the Court Data Services Subscriber Amendment to CJDN Subscriber Agreement. S.R. No. 75
- E. Consideration of the approval of a resolution approving a BCA Joint Powers Agreement with the City of Richfield's Prosecuting Attorney for access to the Criminal Justice Data Communications Network. S.R. No. 76

RESOLUTION NO. 11204

RESOLUTION AUTHORIZING APPROVING STATE OF MINNESOTA JOINT POWERS  
AGREEMENTS WITH THE CITY OF RICHFIELD ON BEHALF OF ITS CITY ATTORNEY

## AND POLICE DEPARTMENT

This resolution appears as Resolution No. 11204.

- F. Consideration of the approval of two resolutions supporting grant applications to the Hennepin County Environmental Response Fund for contamination clean-up at the Lyndale Gardens project site. S.R. No. 77

## RESOLUTION NO. 11205

RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO HENNEPIN COUNTY  
FOR ENVIRONMENTAL RESPONSE FUNDS FOR THE LYNDAL GARDENS SHORELINE  
DEVELOPMENT PROJECT

This resolution appears as Resolution No. 11205.

## RESOLUTION NO. 11206

RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO HENNEPIN COUNTY  
FOR ENVIRONMENTAL RESPONSE FUNDS FOR THE LYNDAL GARDENS RESIDENTIAL  
DEVELOPMENT PROJECT

This resolution appears as Resolution No. 11206.

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 5-0.

<b>Item #5</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>Item #6</b>	<b>CONSIDERATION OF THE SECOND READING OF AN ORDINANCE AMENDING CITY CODE SECTION 710.29 RELATED TO WATER USE RESTRICTIONS AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION S.R. NO. 78</b>
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Mayor Goettel presented Staff Report No. 78.

M/Goettel, S/Fitzhenry that this constitutes the second reading of Bill No. 2016-11, amending the Richfield City Code Section 710.29 related to water use restrictions, that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that they be made part of these minutes:

## RESOLUTION NO. 11207

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDMENT TO  
SUBSECTION 710.29 OF THE RICHFIELD CITY CODE PERTAINING TO WATER USE  
RESTRICTIONS

Motion carried 5-0. This resolution appears as Resolution No. 11207.

<b>Item #7</b>	<b>CITY MANAGER'S REPORT</b>
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None.

<b>Item #8</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Garcia, S/Goettel that the following claims and payrolls be approved:

<b>U.S. Bank</b>		<b>05/10/16</b>
A/P Checks: 249531-249923	\$	1,348,531.91
Payroll: 118705-119019, 42450-42451	\$	<u>579,310.37</u>
TOTAL	\$	1,927,842.28

Motion carried 5-0.

<b>OPEN FORUM</b>
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None.

<b>Item #9</b>	<b>ADJOURNMENT</b>
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The City Council Meeting was adjourned by unanimous consent at 7:28 p.m.

Date Approved: May 24, 2016

\_\_\_\_\_  
Debbie Goettel  
Mayor

\_\_\_\_\_  
Cheryl Krumholz  
Executive Coordinator

\_\_\_\_\_  
Steven L. Devich  
City Manager



**STAFF REPORT NO. 79**  
**CITY COUNCIL MEETING**  
**5/24/2016**

REPORT PREPARED BY: Chris Regis, Finance Manager

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: STEVEN L. DEVICH  
5/17/2016

**ITEM FOR COUNCIL CONSIDERATION:**

**Receipt of the City of Richfield Comprehensive Annual Financial Report (CAFR) for the fiscal year ended December 31, 2015.**

**EXECUTIVE SUMMARY:**

As required by state law all general purpose local governments must be audited in accordance with U.S. generally accepted auditing standards by a firm of licensed certified public accountants.

In addition, state law also requires that local governments publish within six months of the close of each fiscal year a complete set of financial statements presented in conformance with U.S. generally accepted accounting standards.

Accordingly, the City's auditing firm, BerganKDV, Ltd. has completed the annual audit of the City's financial records and has issued an unqualified opinion on those records for the fiscal year ended December 31, 2015.

In addition, the financial statements will be published locally and submitted to the State of Minnesota and the Government Finance Officers Association.

Therefore, staff presents to the City Council, the Comprehensive Annual Financial Report (CAFR) for fiscal year ended December 31, 2015.

**RECOMMENDED ACTION:**

**By Motion: Accept the Comprehensive Annual Financial Report of the City for the year ended December 31, 2015.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- The City's auditing firm, BerganKDV, Ltd. has completed the annual audit of the City's financial records for the fiscal year ended December 31, 2015.
- As part of the audit, BerganKDV, Ltd. has issued an unqualified opinion on the City's financial statements for the year ending December 31, 2015.

- A representative of BerganKDV, Ltd. will be present at the tonight's Council meeting to make a brief presentation on the 2015 financial information and answer questions.
- In addition, the CAFR will be submitted to the State of Minnesota pursuant to State law and to the Government Finance Officers Association for the Certificate of Achievement for Excellence in Financial Reporting program.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Action to be taken at the May 24, 2016 City Council meeting is the official receipt of the December 31, 2014 City of Richfield Comprehensive Annual Financial Report by the City Council.
- The City's auditor has performed an audit of the City's financial records for the year ended December 31, 2015 and prepared reports to the City Council concerning legal compliance and internal controls.

**C. CRITICAL TIMING ISSUES:**

Action on this item is requested at the May 24, 2016 City Council meeting as there is a June 30, 2016 reporting deadline with the State of Minnesota.

**D. FINANCIAL IMPACT:**

N/A.

**E. LEGAL CONSIDERATION:**

- The CAFR will be submitted to the State of Minnesota, pursuant to State law.
- The CAFR will be published in the Sun Current the week of May 30, 2016.

**ALTERNATIVE RECOMMENDATION(S):**

The City Council could ask the auditors for further explanations of their findings at a future Study Session.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Caroline Stutsman, CPA, BerganKDV, Ltd.

**ATTACHMENTS:**

Description	Type
□ Council Memo No. 31	Backup Material

**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

May 19, 2016

Council Memorandum No. 31

The Honorable Mayor  
and  
Members of the City Council

Subject: 2015 Comprehensive Annual Financial Report

Council Members:

At the May 24, 2016 City Council meeting, Caroline Stutsman, a representative of the City's audit firm BerganKDV, Ltd. will make a presentation on the 2015 Audit and the 2015 Comprehensive Annual Financial Report (CAFR). Included in your packet for the May 24, 2016 meeting will be two reports; the 2015 Schedule of Expenditures of Federal Awards and Independent Auditor's Reports and the 2015 Communications Letter.

In addition, City Council members will be receiving the 2015 City Comprehensive Annual Financial Report (CAFR), and the 2015 Housing and Redevelopment Authority CAFR through an email to your individual email account.

Ms. Stutsman's presentation will concentrate on information contained in the 2015 Communications Letter; however she will touch briefly on the 2015 Schedule of Expenditures of Federal Awards and Independent Auditor's Reports. Consequently, Council may find it helpful to bring both of the reports to the meeting to have as a reference to Ms. Stutsman's presentation.

Finally, subsequent to Ms. Stutsman's presentation, the City Council will be asked to formally accept the Comprehensive Annual Financial Report (CAFR) for the year ended 2015.

Respectfully submitted,

  
Steven L. Devich  
City Manager

SLD: cr  
Email: Finance Manager  
Assistant City Manager  
Department Directors

**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

May 19, 2016

Council Memorandum No. 37

The Honorable Mayor  
and  
Members of the City Council

Subject: Lyndale Gardens Project Update  
(Agenda Item No. 4)

Council Members:

The land-use approvals for The Cornerstone Group (Developer), which owns the Lyndale Gardens site expired in December 2015. The Developer, however, continues to be intent on developing the site. As part of their development plans, several interim steps are proposed in the near future, including conducting environmental remediation on the site and beginning the construction of shoreline improvements in the area that is identified as publicly accessible.

Colleen Carey from The Cornerstone Group will be attending the May 24, 2016 City Council meeting to give an update of the status of the Lyndale Gardens development project.

Respectfully submitted,



Steven L. Devich  
City Manager

SLD:kcb  
Email: Assistant City Manager  
Department Directors



**STAFF REPORT NO. 80**  
**CITY COUNCIL MEETING**  
**5/24/2016**

REPORT PREPARED BY: Melissa Poehlman, City Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
5/17/2016

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: STEVEN L. DEVICH  
5/17/2016

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution approving a four-month interim use permit to allow temporary vehicle inventory storage on vacant former Lyndale Garden Center property.**

**EXECUTIVE SUMMARY:**

Richfield-Bloomington Honda and Mitsubishi currently park inventory in the parking ramp at the Best Buy headquarters. Approximately 600 vehicles are stored at the location. Last fall, Best Buy agreed to lease office space to HealthPartners, who will soon move approximately 500 employees to the site. Inventory storage will no longer be possible. While Honda and Mitsubishi work to prepare a permanent site for vehicle storage, they are asking to temporarily park some of this inventory on the vacant Lyndale Gardens lots.

The Cornerstone Group continues to work toward redevelopment of this site and plans to present a new land use application for this portion of the site in the near future. President Colleen Carey has stated that the site would be available for parking for four months, with the potential for month-to-month extensions depending on development progress.

Parking is not permitted as the primary use of a parcel. The applicant has requested an interim use permit in order to alleviate an immediate, but temporary problem. Given the expressed short duration of the need and the potential for redevelopment soon after, staff is recommending only minor clean-up, as opposed to paving and striping. Staff would support this situation for up to four months. If an extension is requested, paving and striping equal to what was done at the other Honda interim use permit site (south half of the former Public Works Garage) will be required. Staff is recommending an allowance for one administrative extension of up to six months with a requirement that the paving and striping be done before issuance of such an extension.

**RECOMMENDED ACTION:**

**By Motion: Approve the resolution granting a four-month interim use permit for vehicle inventory storage at approximately 6400 Lyndale Avenue.**

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

Discussed in Executive Summary.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The purpose of an interim use permit is to allow a use that may not be compatible with the Comprehensive Plan to operate for a limited period of time.
- The Council may waive ordinance provisions upon finding that the temporary nature of the interim use will eliminate the adverse effects the provisions were intended to prevent. The Council must find that the temporary nature of this permit makes the nonconforming use permissible at this time.
- In evaluating a request for an interim use permit, the Council must also consider its compliance with the criteria described in Subsection 547.15 of the City Code. Findings are detailed in the attached document.

**C. CRITICAL TIMING ISSUES:**

- The applicant needs to remove vehicles from the Best Buy ramp by the end of May. City staff has worked to accelerate the processing of this application.
- A public hearing before the Planning Commission will be held the night before the Council Meeting (May 23, 2016). This accelerated scheduling does not allow staff to incorporate any testimony that may be received into this written report. Staff will report verbally to the Council, if necessary.
- 60-DAY RULE: The 60-day clock 'started' when a complete application was received on May 10, 2016. A decision is required by *July 6, 2016* OR the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

**D. FINANCIAL IMPACT:**

- The required application processing fee has been paid.
- If the applicant requests an extension, annual monitoring fees will apply.

**E. LEGAL CONSIDERATION:**

- A public hearing was also held before the Planning Commission on May 23, 2016.
- Notice of the required public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site.
- Staff will report on the public hearing and Planning Commission vote.

**ALTERNATIVE RECOMMENDATION(S):**

- Approve the attached resolution with modifications (timing or conditions).
- Deny the requests with findings that requirements are not met.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Richfield-Bloomington Honda/Mitsubishi Representative(s)

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Resolution	Resolution Letter
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Consent Agreement	Exhibit
<input type="checkbox"/> Planning & Zoning Maps	Exhibit

**RESOLUTION APPROVING AN  
INTERIM USE PERMIT  
TO ALLOW TEMPORARY VEHICLE INVENTORY STORAGE  
AT 6400 LYNDALE AVENUE SOUTH**

**WHEREAS**, the City of Richfield (the City) adopted a Comprehensive Plan in 2009 to guide the development of the community; and

**WHEREAS**, the City has adopted a Zoning Ordinance or other official controls to assist in implementing the Comprehensive Plan; and

**WHEREAS**, an application has been filed with the City of Richfield which requests an interim use permit to allow Richfield-Bloomington Honda/Mitsubishi (the "Applicant") to store vehicle inventory at property legally described as follows:

Lots 1 & 2, Block 1, Lyndale Gardens Addition, Hennepin County, MN

**WHEREAS**, the Property is zoned Planned Mixed Use (PMU); and

**WHEREAS**, private parking lots are not permitted as a principal use of property in any zoning district in the City; and

**WHEREAS**, the City Council finds that the temporary nature of the proposed interim use eliminates the adverse effects the prohibition was intended to prevent; and

**WHEREAS**, the Planning Commission held a public hearing on May 23, 2016 to review the application for an interim use permit, following mailed and published notice as required by law; and

**WHEREAS**, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. The proposed interim use permit request meets all applicable conditions and restrictions stated in Subsection 547.15 of the 2007 Zoning Ordinance except as follows:

The proposed interim use is not a permitted primary use within the City. In accordance with Subsection 547.15 Subd. 3e the City Council finds that the temporary nature of the interim use eliminates the detriment that a stand-alone parking lot/automobile inventory storage lot will have to a mixed use area.

2. An interim use permit for Richfield-Bloomington Honda and Mitsubishi at the property legally described above, as described in City Council Staff Report No. \_\_\_\_\_ is approved with the following conditions:
  - a. The property may be used for employee parking for no more than four months without improvements to the lot(s).

- b. The interim use permit will expire four months from its effective date (September 24, 2017), or upon violation of the conditions under which the permit was issued, whichever occurs first.
- c. The Community Development Director may issue one administrative extension of this permit for up to six additional months. The granting of this extension will require that the parking/storage areas be paved and striped. The annual monitoring fee, as dictated by City Code, will apply to this extension.
- d. The interim use permit shall be reviewed periodically by the City to ensure compliance with the conditions set forth in this resolution.

Adopted by the City Council of the City of Richfield, Minnesota this 24th day of May 2016.

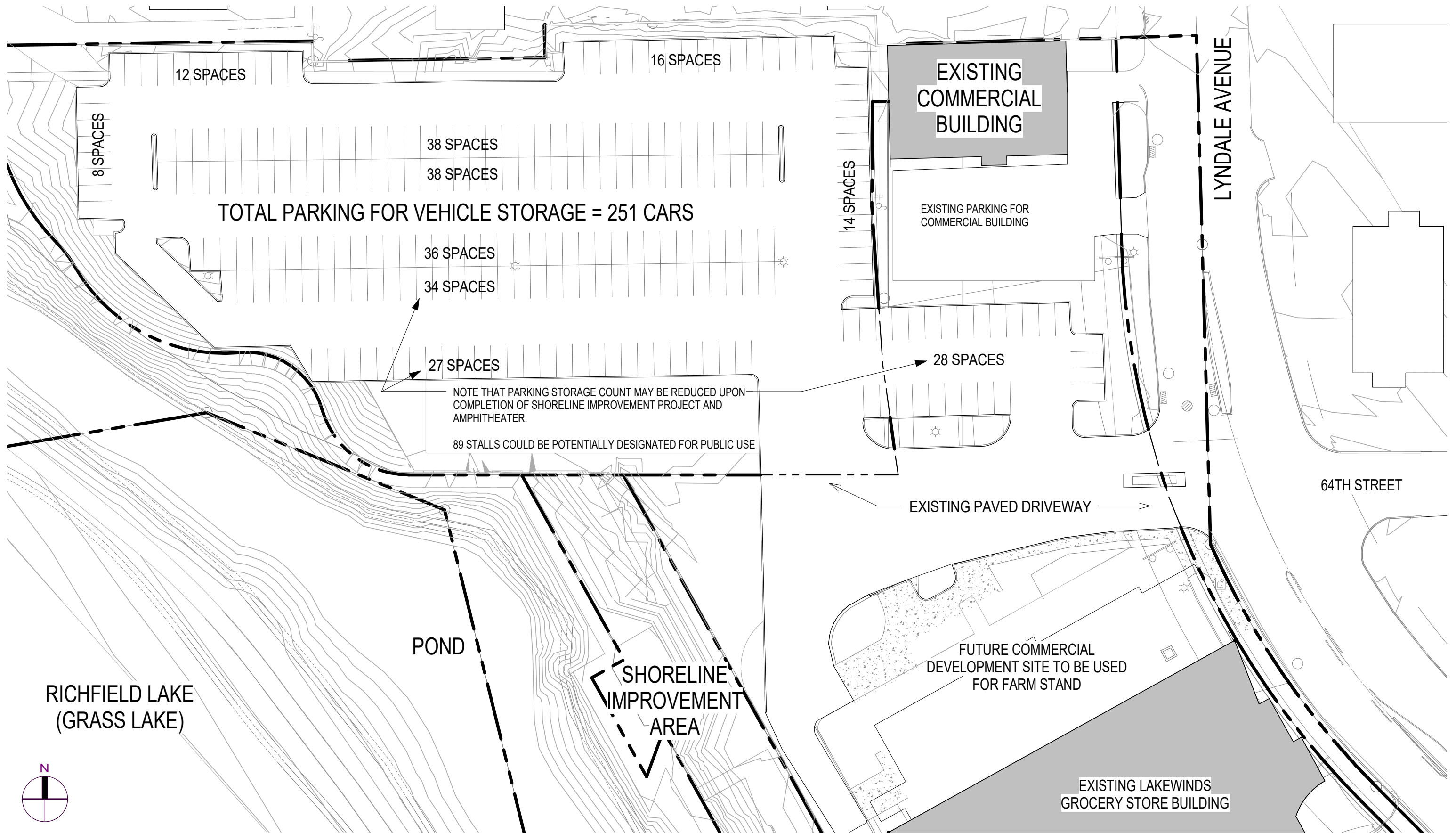
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Debbie Goettel, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk



## Site Plan - Vehicle Storage Parking Layout - Honda

1" = 50'-0"

## CONSENT AGREEMENT

WHEREAS, on November 13, 2007 the City Council of the City of Richfield adopted Ordinance No. 2007-19, which establishes a framework for regulating temporary use of land through the issuance of interim use permits; and

WHEREAS, Section 547.15 Subdivision 2 of this Ordinance requires an applicant for an interim use permit to sign a Consent Agreement wherein the applicant acknowledges and agrees that the proposed interim use will not impose additional costs on the public if there is a future need for public acquisition of the applicant's property through eminent domain, that the applicant has no entitlement to future reapproval of the interim use permit and that the applicant will abide by the conditions of approval that the City Council attaches to the interim use permit;

NOW, THEREFORE, Lyndale Gardens LLC, as the property owner and co-applicant for an interim use permit for temporary vehicle inventory storage  
(use of property)

at Lots 1 & 2, Block 1, Lyndale Gardens Addition, agree as follows:  
(location)

1. If this application is approved by the Richfield City Council and an interim use permit is issued, the interim use of the property will not impose additional costs on the City or any other public entity if it is necessary to acquire the property or a portion thereof by eminent domain after issuance of the interim use permit.

2. The applicant acknowledges that the proposed use is temporary and terminates upon expiration of the interim use permit. The applicant has no legal or equitable right to future reapproval of the interim use permit and must file a new application for that purpose.

3. The applicant will comply with all conditions imposed by the City Council on the interim use permit.

4. This Consent Agreement shall be binding on any owner, operator, tenant and/or user of the property for which the interim use permit has been granted and the applicant is authorized to sign this Consent Agreement on behalf of said owner, operator, tenant and/or user of the property.

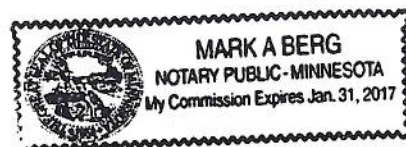
DATED: 5-13-16

Colleen M. Carey  
Applicant (Applicant must be the Property Owner)

STATE OF MINNESOTA   )  
  ) SS  
COUNTY OF HENNEPIN   )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of MAY, 2016, by Colleen Carey, the Chief Manager of Lyndale Gardens LLC, a Minnesota LLC, on behalf of said company.

Mark A. Berg  
Notary Public



# Lyndale Gardens Site - PUD, IUP 6/2016

6400-6430 Lyndale - Surrounding Zoning

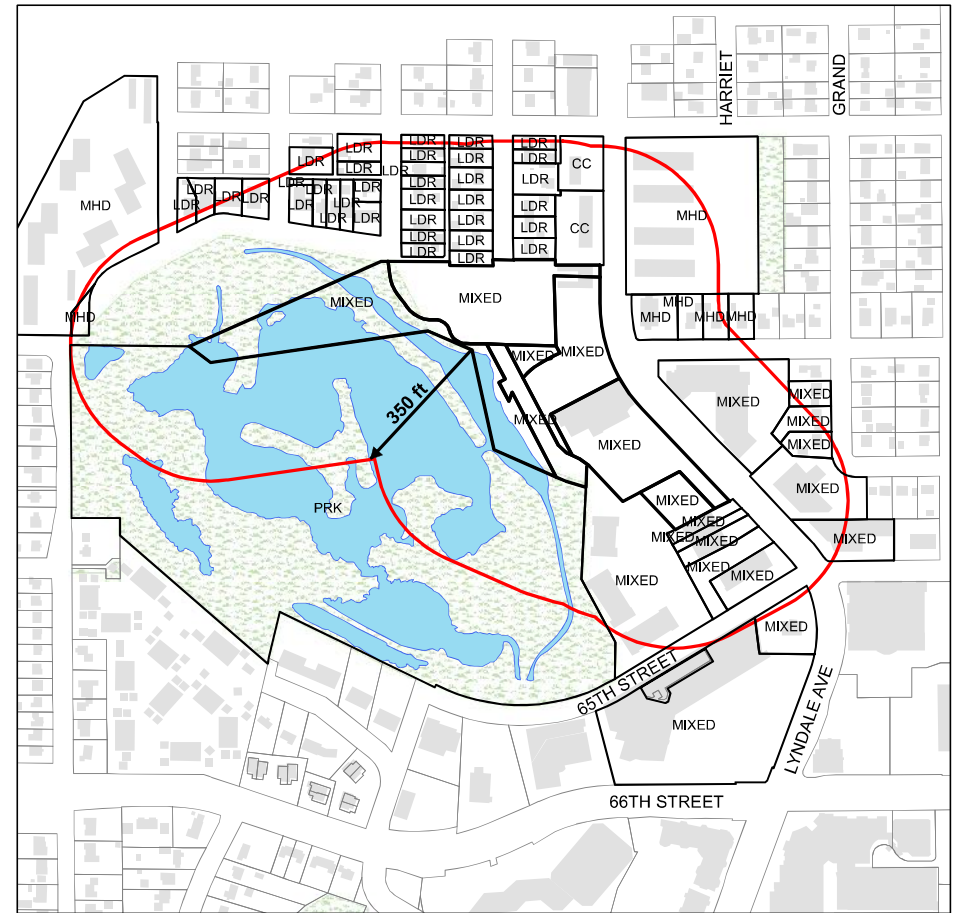


C-2 - General Commercial  
PMU - Planned Mixed Use  
PMR - Planned Multi-Family Residential  
R - Single Family Residential  
MR-2 - Multi-Family Residential  
MR-3 - High Density Multi-Family Residential

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# Lyndale Gardens Site - PUD, IUP 6/2016

6400-6430 Lyndale - Surrounding Comp Plan



MIXED - Mixed Use  
LDR - Low Density Residential  
MHD - Medium-High Density Residential  
CC - Community Commercial  
PRK - Park

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**STAFF REPORT NO. 81**  
**CITY COUNCIL MEETING**  
**5/24/2016**

REPORT PREPARED BY: Julie Urban, Housing Specialist

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director  
5/17/2016

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: STEVEN L. DEVICH  
5/17/2016

**ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a resolution reprogramming 2015 Community Development Block Grant funds from the Penn Avenue Streetscape Program to the Deferred Loan Program and authorizing execution of any required agreements with Hennepin County.**

**EXECUTIVE SUMMARY:**

The City received \$241,584 in Community Development Block Grant (CDBG) funding from the federal Department of Housing and Urban Development (HUD) in 2015. The City is proposing to reprogram \$55,643 of the 2015 allocation from the Penn Avenue Streetscape Program to the Deferred Loan Program.

<b><u>Activity</u></b>	<b><u>Approved Budget</u></b>	<b><u>Proposed Budget</u></b>
Penn Avenue Streetscape Improvements	\$70,643	\$15,000
Deferred Loan Program	\$40,514	\$96,157

The Penn Avenue Streetscape Program provided new streetlights, banners, benches, and trash receptacles in the Penn Avenue Corridor, from 62nd Street to 66th Street. To date, the City has used approximately \$110,000 of CDBG funds on the Penn Avenue Streetscape Program and there are additional expenditures of \$15,000 anticipated within the next few months to wrap up this program. Beyond this, there are no additional CDBG-eligible expenditures identified for the Penn Avenue project; thus, the \$55,643 in 2015 CDBG funds are not needed.

The Deferred Loan Program provides no-interest 30-year loans up to \$30,000 to low-income homeowners to address health, safety and property maintenance needs. This program has been in existence since 1984 and has been administered for the City by Hennepin County since 2006. There is currently a waiting list for the program.

The 2015 Fiscal Year ends on June 30, 2016. The City has until this date to spend the funds. Allocating the funds to the Deferred Loan Program meets this requirement.

**RECOMMENDED ACTION:**

**By Motion: Approve a resolution authorizing the reprogramming of 2015 Community Development Block Grant Program funds from the Penn Avenue Streetscape Program to the Deferred Loan Program**

and authorizing execution of any required agreements with Hennepin County.

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- In 2015, the City allocated \$70,643 of its 2015 CDBG award to the Housing and Redevelopment Authority (HRA) to make streetscape improvements to the Penn Avenue Corridor, between 62nd and 66th Streets. Funds were also awarded to the Program in 2013 and 2014. Installation of the improvements is nearing completion, and not all of the 2015 funds are needed to complete the project.
- The Deferred Loan Program has successfully helped low-income homeowners maintain their homes for over 30 years. The additional funds will allow Hennepin County staff to begin serving those homeowners currently on the waiting list.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- All funded activities must meet one of three national objectives: benefiting low and moderate-income persons, preventing or eliminating slums and/or blight, or meet an urgent need. In addition, activities must be consistent with priorities identified in the County's Consolidated Plan. Those priorities include a variety of housing activities such as housing rehabilitation, public services to maintain or increase self-sufficiency, and neighborhood revitalization activities.
- Under CDBG guidelines, decreasing the amount awarded to a project by greater than 50 percent of the original budget constitutes a General Amendment, requiring a 15-day written comment period. The comment period was open from April 24 through May 13, 2016. No written comments were received.

**C. CRITICAL TIMING ISSUES:**

The 2015 Fiscal Year ends on June 30, 2016. The City has until this date to spend the funds. Allocating the funds to the Deferred Loan Program meets this requirement.

**D. FINANCIAL IMPACT:**

- Sufficient funds remain in the activity budget to complete the streetscape improvements.
- These are Federal funds awarded to the City of Richfield through Hennepin County. Failure to spend the funds by June 30, 2016, may require the City to return the funds to Hennepin County.

**E. LEGAL CONSIDERATION:**

None

**ALTERNATIVE RECOMMENDATION(S):**

Do not authorize the reprogramming, which will result in the funds being returned to Hennepin County.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

N/A

**ATTACHMENTS:**

Description	Type
□ Resolution	Resolution Letter

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION APPROVING REPROGRAMMING 2015 URBAN HENNEPIN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND  
AUTHORIZING EXECUTION OF ANY REQUIRED AGREEMENTS WITH HENNEPIN  
COUNTY**

**WHEREAS**, the City of Richfield, Minnesota, through execution of a Joint Cooperation Agreement with Hennepin County, is participating in the Urban Hennepin County Community Development Block Grant (CDBG) Program; and

**WHEREAS**, the City of Richfield adopted a proposal for the use of 2015 CDBG funds made available to it; and

**WHEREAS**, the City of Richfield proposes to reprogram a portion of the 2015 CDBG awards from the Penn Avenue Streetscape Program to the Deferred Loan Program; and

**WHEREAS**, the City held a public comment period from April 28, 2016 to May 13, 2016, to obtain the views of citizens on local and Urban Hennepin County housing and community development needs and priorities for the City's proposed reprogramming of \$55,643 from the 2015 Urban Hennepin County CDBG Program; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of Richfield, Minnesota as follows:

1. Approves the reprogramming of \$55,643 from the 2015 Urban Hennepin County Community Development Block Grant Program and authorizes submittal of the proposal to Hennepin County.

Activity	Approved Budget	Proposed Budget	Reprogrammed Amount
1. Penn Avenue Streetscape Program	\$70,643	\$15,000	- \$55,643
2. HRA Deferred Loan Program	\$40,514	\$96,157	+ \$55,643

2. That the Mayor and City Council hereby authorize and direct the execution of any agreements with Hennepin County.

Adopted by the City Council of the City of Richfield, Minnesota this 24th day of May, 2016.

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Debbie Goettel, Mayor

**ATTEST:**

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Elizabeth Van Hoose, City Clerk